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8 Attorney for Quincy Stewart

9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.
14

15 QUINCY STEWART,

16 Defendant.
17

Case No. 2:17-cr-125-APG-NJK

**DEFENDANT'S MOTION TO
WITHDRAW DEFENDANT'S
WAIVER OF TEMPORARY RIGHT
TO CUSTODY UNDER THE
INTERSTATE AGREEMENT ON
DETAINERS ACT**

18 The defendant, QUINCY STEWART, by and through his counsel of record, Brian Pugh,
19 Assistant Federal Public Defender, moves this Honorable Court to withdraw Defendant's
20 Waiver of Temporary Right to Custody under the Interstate Agreement on Detainers Act. ECF
21 No. 10. This motion is based upon the following points and authorities.
22

23 DATED this 11th day of May, 2017.

24 RENE L. VALLADARES
Federal Public Defender

25 By: /s/ Brian Pugh

26 Brian Pugh
Assistant Federal Public Defender

1 **POINTS AND AUTHORITIES**

2 On April 19, 2017, a federal grand jury empaneled in the District of Nevada returned an
3 indictment against Quincy Stewart ("Mr. Stewart") charging him with one count of Felon in
4 Possession of a Firearm, 18 U.S.C. §§ 922(g)(1) and 924(a)(2). ECF No. 1. The indictment
5 remains pending against Mr. Stewart.

6 On April 19, 2017, this Court issued an Order for Issuance of Writ of Habeas Corpus
7 Ad Prosequendum for Quincy Stewart to the Clark County Detention Center ("CCDC"). ECF
8 Nos. 5 and 6. On April 26, 2017, Quincy Stewart was taken into federal custody from the
9 CCDC.

10 On April 26, 2017, Mr. Stewart made his initial appearance. ECF No. 11. Prior to his
11 initial appearance, Mr. Stewart was detained at the CCDC. See ECF No. 6. At his initial
12 appearance, Mr. Stewart submitted to detention and executed a Waiver of Temporary Right to
13 Custody under the Interstate Agreement on Detainers Act. ECF Nos. 10 and 11.

14 Now, Mr. Stewart would prefer to participate in the programs and opportunities at the
15 Nevada Southern Detention Center ("NSDC"). Mr. Stewart requests pursuant to 18 U.S.C.
16 App. 2, Art. IV that he be taken back into federal custody and placed at the NSDC.

17 DATED this 11th day of May 2017.

18 Respectfully Submitted,

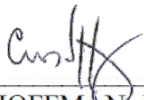
19 RENE L. VALLADARES
20 Federal Public Defender

21 By: /s/ Brian Pugh

22 Brian Pugh
23 Assistant Federal Public Defender
24 Attorney for Quincy Stewart

25 IT IS SO ORDERED.

26 DATED: May 15, 2017


C.W. HOFFMAN, JR.
UNITED STATES MAGISTRATE JUDGE

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